

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 12 February 2001 (12.02.01)	
International application No. PCT/IB00/00968	Applicant's or agent's file reference PDC/AB/21645
International filing date (day/month/year) 03 July 2000 (03.07.00)	Priority date (day/month/year) 05 July 1999 (05.07.99)
Applicant LEBOUILL, Gilles	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
04 January 2001 (04.01.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was  
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer S. Mafla Telephone No.: (41-22) 338.83.38
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REC'D 30 AUG 2001

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## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PDC/AB/21645	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB00/00968	International filing date (day/month/year) 03/07/2000	Priority date (day/month/year) 05/07/1999
International Patent Classification (IPC) or national classification and IPC H04N5/00		
Applicant CANAL+SOCIETE ANONYME		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 6 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  04/01/2001	Date of completion of this report  28.08.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer  Glendinning, D  Telephone No. +49 89 2399 2443 

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB00/00968

## I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, pages:**

1-25 as originally filed

**Claims, No.:**

1-28 as originally filed

**Drawings, sheets:**

1/7-7/7 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB00/00968

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.  
☐ paid additional fees.  
☐ paid additional fees under protest.  
☒ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.  
☒ not complied with for the following reasons:  
**see separate sheet**

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☐ all parts.  
☒ the parts relating to claims Nos. 1-13,18-22.

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-13,18-22
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-13,18-22
	No:	Claims	

# **INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

International application No. PCT/IB00/00968

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Industrial applicability (IA)    Yes:    Claims    1-13,18-22  
   No:    Claims

2. Citations and explanations  
**see separate sheet**

## **VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:  
**see separate sheet**

**IV Lack of unity of invention**

- 1 The claims of this application appear to relate to two separate inventions, as follows:
  - a) claims 1-13 and 18-22  
concerning using an identifier of a receiver/decoder to authenticate communication between the receiver/decoder and a remote server to give the receiver/decoder access to a network, the identifier being based on an identifier for access to broadcast services; and
  - b) claims 14-17 and 23-25  
concerning enabling communication between a non-Internet protocol enabled user terminal and an Internet protocol enabled remote device, the user terminal sending a message for a remote device to a gateway, the gateway then converting the message into data using the Internet protocol, the gateway then communicating with the remote device to establish the desired communication.
- 2 The applicants did not respond to the invitation to restrict or pay additional fees and so the international preliminary examination has been carried out on the first of the inventions identified above, that of claims 1-13 and 18-22.

**V Reasoned statement under Article 35(2) PCT**

- 1 The invention concerns communication between a receiver/decoder and a remote server for providing access to a network. The communication is authenticated using an identifier based on an identifier used for access to broadcast services. WO 98/43427 and WO 98/50862 both disclose systems for providing access to a network and broadcast services, but neither those documents nor any others cited in the Search Report disclose or suggest authenticating communication between a receiver/decoder and the server, for giving access to a network, using an identifier based on the identifier for providing access to broadcast services. The subject matter of independent claims 1 and 18 can thus be considered to be new and to have inventive step.
- 2 The same conclusion holds for the subject matter of dependent claims 2-13 and 19-22.

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/IB00/00968

- 3 The claimed invention finds industrial applicability in the technical field of providing television and Internet services.

**VII Certain defects in the international application**

Claims 26-28 are not permissible {Rule 6.2(a)} and should be removed from the application.

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

To:

COZENS, Paul  
MATHYS & SQUIRE  
100 Gray's Inn Road  
London WC1X 8AL  
GRANDE BRETAGNE

**RECEIVED**  
MATHYS & SQUIRE

30 AUG 2001

REPLY DATE 30/9/01

DIARY ENTERED

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing  
(day/month/year)

28.08.2001

Applicant's or agent's file reference  
PDC/AB/21645

**IMPORTANT NOTIFICATION**

International application No.  
PCT/IB00/00968

International filing date (day/month/year)  
03/07/2000

Priority date (day/month/year)  
05/07/1999

Applicant

CANAL+SOCIETE ANONYME

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

#### 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/



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Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
Fax: +49 89 2399 - 4465

Authorized officer

Schalinatus, D

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## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>PDC/AB/21645</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/IB 00/ 00968</b>	International filing date (day/month/year) <b>03/07/2000</b>	(Earliest) Priority Date (day/month/year) <b>05/07/1999</b>
Applicant <b>CANAL+SOCIETE ANONYME</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

7  
☐ None of the figures.

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 H04N5/00 H04N7/14 H04N7/16 H04N7/173

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 43427 A (BASTIEN JEAN PAUL ;DECLERCK CHRISTOPHE (FR); CANAL PLUS SA (FR); B) 1 October 1998 (1998-10-01)	1-11, 18-20
Y	page 9, line 27 -page 13, line 8 page 14, line 5 -page 16, line 24 page 18, line 27 -page 19, line 19 ---	12, 13, 21, 22
X	WO 98 56188 A (SONY ELECTRONICS INC) 10 December 1998 (1998-12-10) page 3, line 6 -page 4, line 22 page 7, line 1 -page 8, line 14 page 9, line 28 -page 10, line 14 page 20, line 35 -page 22, line 5 figures 1,2 --- -/--	14-17, 23-28

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

## \* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&amp;" document member of the same patent family

Date of the actual completion of the international search

18 October 2000

Date of mailing of the international search report

26/10/2000

Name and mailing address of the ISA

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Authorized officer

Van der Zaal, R

## INTERNATIONAL SEARCH REPORT

International Application No

T/IB 00/00968

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y  A	WO 98 50862 A (GTE MAIN STREET INC) 12 November 1998 (1998-11-12)  page 3, line 27 -page 12, line 11 ----- WALL W E: "AN ADVANCED VIDEO PLAFORM FOR THE CABLE INDUSTRY" PROCEEDINGS OF THE INTERNATIONAL WORKSHOP ON COMMUNITY NETWORKING, 11 September 1997 (1997-09-11), pages 31-33, XP002061359 the whole document -----	14-17, 23-28 12,13, 21,22   1-23

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

IB 00/00968

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9843427	A	01-10-1998	AU 2771097 A	20-10-1998
			EP 0968608 A	05-01-2000
			NO 994541 A	22-11-1999
			PL 335584 A	08-05-2000
			AU 2770697 A	20-10-1998
			AU 7038198 A	20-10-1998
			BR 9714603 A	16-05-2000
			BR 9808283 A	16-05-2000
			BR 9808288 A	16-05-2000
			CN 1254472 A	24-05-2000
			CN 1260056 A	12-07-2000
			CN 1254477 A	24-05-2000
			CN 1254478 A	24-05-2000
			CN 1254469 A	24-05-2000
			CN 1254423 A	24-05-2000
			CN 1262754 A	09-08-2000
			CN 1254473 A	24-05-2000
			CN 1254422 A	24-05-2000
			CN 1254475 A	24-05-2000
			CN 1254476 A	24-05-2000
			CN 1254474 A	24-05-2000
			CN 1255266 T	31-05-2000
			CN 1255212 T	31-05-2000
			CN 1255268 T	31-05-2000
			CN 1257630 T	21-06-2000
			WO 9843425 A	01-10-1998
			WO 9843426 A	01-10-1998
			WO 9843162 A	01-10-1998
			WO 9843431 A	01-10-1998
			WO 9843248 A	01-10-1998
			WO 9843165 A	01-10-1998
			WO 9843415 A	01-10-1998
			WO 9843172 A	01-10-1998
			WO 9843433 A	01-10-1998
			WO 9843437 A	01-10-1998
			WO 9843167 A	01-10-1998
			WO 9843428 A	01-10-1998
			WO 9843421 A	01-10-1998
			EP 0872798 A	21-10-1998
			EP 0866611 A	23-09-1998
			EP 0866616 A	23-09-1998
			EP 0866613 A	23-09-1998
			EP 0968610 A	05-01-2000
			EP 0968609 A	05-01-2000
			EP 0968607 A	05-01-2000
			EP 0974229 A	26-01-2000
			EP 0974230 A	26-01-2000
			EP 0968468 A	05-01-2000
			EP 0968465 A	05-01-2000
WO 9856188	A	10-12-1998	US 6028600 A	22-02-2000
			US 6072483 A	06-06-2000
			AU 7446798 A	21-12-1998
			EP 0986901 A	22-03-2000
WO 9850862	A	12-11-1998	EP 0988602 A	29-03-2000



patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

**Published:**

— *With international search report.*